

REMARKS RELATED TO THE NEW CLAIMS

New claims 21-39 have been added to the application to distinguish the structure of the pairs of horizontal studs integrally formed in the side of the fence post.

It is acknowledged that the patent to Buechele is similar to the structure and function of the subject quick connect fence post but for the structure of the pairs of horizontal studs. In Buechele, the metal vertical post 1 includes a plurality of spaced apart ears or tongues 2 disposed along the length of the post. The ears 2 are formed by striking up portions in the post 1 at regular intervals and then bending the ears outwardly at right angles thereto.

Using today's hydraulic or pneumatic fence post drivers for quickly hammering a fence post into a ground surface, the ears 2 described in the Buechele patent would quickly shear off and render the metal post 1 inoperable.

In independent claim 21, the first pair of studs 14 are described as being integrally attached to the side 22 of the fence post 10 to withstand the shear forces when the post 10 is hammered into the ground. Of particular importance is the studs 14 have a rounded vertical top 28 and rounded edges for ease in guiding the fence wire 20 into the first wire gap 25. Buechele provides no disclosure or teaching of integrally formed studs in the side of the fence post, with the studs having a rounded vertical top and rounded edges for ease in inserting the fence wire into the wire gap. This structure is shown in the application drawings and discussed in the specifications on page 7, second complete paragraph. Claim 21 should be allowed.

Claims 22-27 are dependent on the patentable structure of claim 21. These claims should be allowed.

Independent claim 28 is similar to claim 21 and describes the first pair of horizontal studs having a vertical top that is beveled. The above remarks related to claim 21 also apply to claim 28. Claim 28 should be allowed.

Claims 29-34 are dependent on the patentable structure of claim 28. These claims should be allowed.

Independent claim 35 is similar to claim 21 and describes a combination of a first pair of horizontal studs and a second pair of horizontal studs having a vertical top and edges rounded for ease in guiding the fence wire into the first and second wire gaps. The above remarks related to claim 21 also apply to claim 35. Claim 35 should be allowed.

Claims 36-39 are dependent on the patentable structure of claim 35. These claims should be allowed.

CONCLUSION

Re-examination, reconsideration and allowance of the application are requested in view of the foregoing remarks and amendments to the drawings, specifications and claims.

Should the examiner have any questions regarding this amendment it is urged that he contact the undersigned.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on June 8, 2004.
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